



Order Filed on May 14, 2018  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT District of New Jersey
<b>Caption in Compliance with D.N.J. LBR 9004-1(b)</b>  Albert Russo CN 4853 Trenton, NJ 08650 (609) 587-6888 Standing Chapter 13 Trustee
In re:  Edwin Cruz Fernando

Case No.: 17-23464 / KCF

Chapter: 13

Hearing Date: May 9, 2018

Judge: Kathryn C. Ferguson

### CHAPTER 13 STANDING TRUSTEE PRE-CONFIRMATION ORDER OF DISMISSAL

The relief set forth on the following page is **ORDERED**.

**DATED: May 14, 2018**

  
Honorable Kathryn C. Ferguson  
United States Bankruptcy Judge

The Court having determined that dismissal of this case is appropriate, it is hereby

ORDERED that the debtor's case is dismissed for:

- failure to attend the Section 341(a) meeting
- failure to file required schedules, statements, plan and/or summary
- failure to file a feasible plan, income and/or budget statement
- lack of prosecution
- failure to resolve Trustee and/or creditor objection

and it is further

ORDERED that:

Pursuant to 11 U.S.C. § 349(b), this court for cause retains jurisdiction over any application filed within 14 days of the date of this order by any administrative claimant for funds on hand with the Chapter 13 Standing Trustee.

Any funds held by the Chapter 13 Standing Trustee from payments made on account of the debtor's plan shall be disbursed to the debtor, less any applicable trustee fees and commissions, except any adequate protection payments due under the proposed plan, or by Court order.

*Any Order to Employer to Pay the Chapter 13 Trustee* that has been entered in this case is vacated, and the employer is ordered to cease wage withholding immediately.

All outstanding fees due to the Court are due and owing and must be paid within 7 days of the date of this order.

**Certificate of Notice Page 3 of 3**  
United States Bankruptcy Court  
District of New Jersey

In re:  
Edwin Cruz Fernando  
Debtor

Case No. 17-23464-KCF  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 1

Date Rcvd: May 14, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 16, 2018.

db +Edwin Cruz Fernando, 80 North Grant Avenue, Colonia, NJ 07067-2225

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: May 16, 2018

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 14, 2018 at the address(es) listed below:

Albert Russo docs@russotrustee.com

Karen E. Bezner on behalf of Trustee Karen E. Bezner Kbez@bellatlantic.net,  
NJ61@ecfcbis.com;KarenEBeznerEsg@aol.com

Kevin Gordon McDonald on behalf of Creditor FEDERAL NATIONAL MORTGAGE ASSOCIATION (FANNIE  
MAE) C/O BAYVIEW LOAN SERVICING, LLC AS ATTORNEY-IN-FACT kmcdonald@kmlawgroup.com,  
bkgroup@kmlawgroup.com

Kirsten B. Ennis on behalf of Debtor Edwin Cruz Fernando pacerecf@ennislegal.com,  
r53278@notify.bestcase.com

Lauren Bielskie on behalf of U.S. Trustee U.S. Trustee lauren.bielskie@usdoj.gov

Lauren Bielskie on behalf of U.S. Trustee United States Trustee lauren.bielskie@usdoj.gov

U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

United States Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 8